

United States Bankruptcy Court – District of South Carolina

J. Bratton Davis United States
Bankruptcy Courthouse
1100 Laurel Street
Columbia, SC 29201-2423

Case Number: 10-05809-jw

Chapter: 13

In re: (Debtor(s) name(s) used by the debtor(s) in the last 8 years, including married, maiden, trade, and address)

Joseph R Gerbino
2589 Hollywood Lane
Conway, SC 29526

SSN: xxx-xx-2919

Marlene A Gerbino
aka Marlene A Esposito
2589 Hollywood Lane
Conway, SC 29526

SSN: xxx-xx-9447

Entered By The Court
10/22/10

ORDER

Filed By The Court

10/22/10
Tammi M. Hellwig
Clerk of Court
US Bankruptcy Court

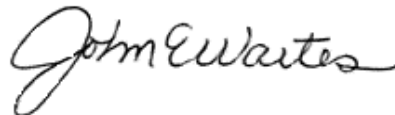
This matter comes before the Court for a confirmation hearing to consider the plan filed with this Court on 08/23/2010 pursuant to Chapter 13 of the Bankruptcy Code (11 U.S.C. Sec. 1301 *et seq*). Notice for this hearing was given to all parties in interest as required by 11 U.S.C. Sec. 1324. Following a hearing, the Court finds and concludes as marked below:

- ☐ C-I. The plan as presently filed will be confirmed if the trustee recommends confirmation.
- ☒ C-II. The plan does not currently comply with the requirements of Chapter 13. Therefore, confirmation of the plan as presently filed is denied. The debtor(s) is/are given ten (10) days from the date of this Order within which to propose and file an amended plan, along with an affidavit which certifies that a copy of such amended plan was mailed to the holder of any claim whose rights may have been adversely affected by any amendment to the plan as previously filed. If no such amended plan and/or certificate of mailing is filed, this case may be dismissed without further notice or hearing. If filed, the amended plan may be confirmed without further notice or hearing upon the trustee's recommendation.
- ☐ C-III. The plan does not comply with the requirements of Chapter 13. Therefore, confirmation is denied and the case is hereby dismissed.
- ☐ C-IV. Confirmation of the plan is denied. The case will be dismissed unless a motion to convert to another chapter is filed within ten (10) days.

Any other conditions incident to confirmation which may have been made orally by the Court during the hearing are hereby made a part of this order.

AND IT IS SO ORDERED.

Document 22 – 9



Chief United States Bankruptcy Judge